

ANNEX T

TERRORISM AND HOMELAND SECURITY

Annex T
TERRORISM AND HOMELAND SECURITY

TABLE OF CONTENTS

	PAGE
Part One – Introduction	
A. Background	2
B. Purpose.....	3
C. Scope.....	3
D. Concept of Operations	3
Part Two – Terrorism Standard Operating Procedures	
A. Management Section	
1. Management.....	6
2. Emergency Public Information	6
3. Terrorism Advisories	8
B. Operations Section	
1. Operations Chief	11
2. Fire and Rescue	13
3. Law Enforcement and Traffic Control (Evacuation)	14
4. Medical Operations	16
5. Medical Examiner/Coroner	16
6. Care and Shelter	16
7. Construction and Engineering.....	18
8. IT/Telecommunications	
C. Planning/Intelligence Section	
1. Situation Analysis	20
2. Damage Assessment	22
3. Recovery Planning Unit.....	23
D. Logistics Section	
1. Logistics Chief	25
2. IT/Telecommunications	26
E. Finance Administration	
Attachment 1 – Homeland Security Presidential Directive/HSPD.5	30
Attachment 2 – Homeland Security Presidential Directive/HSPD.7	36
Attachment 3 – Homeland Security Presidential Directive/HSPD.8.....	43

**CITY OF SAN JOSE
TERRORISM and HOMELAND SECURITY
STANDARD OPERATING PROCEDURE**

**PART I
INTRODUCTION**

A. BACKGROUND

In 1995 a cult released Sarin in the Tokyo subway system to prevent the Tokyo Metropolitan Police from investigating several previous crimes by the cult. One month later Timothy McVeigh used ANFO to create a truck bomb that destroyed the Murrah Federal Office Building in Oklahoma City. Although terrorism response had previously been considered a military responsibility, these two events demonstrated that the first responders of the attacked community were the people whose skills and equipment actually saved lives. For example, all the people saved alive in Oklahoma City were saved by local responders before any outside assistance arrived.

These two events demonstrated that specialized skills are needed to effectively save victims of weapons of mass destruction (WMD) attacks, while also protecting the lives of the first responders. American cities did not have appropriately trained and equipped personnel to work in WMD environments.

In 1997, the Federal government introduced the Domestic Preparedness Program to the twenty-five (25) largest cities in the United States, and Honolulu and Anchorage because of their isolation. This program provided assistance to the nation's largest cities to prepare for the possibility of terrorist attacks. Six Federal agencies were assigned to assist the communities develop the ability to effectively respond to the possibility of terrorist attacks using nuclear, biological or chemical weapons for social or political purposes. Three federal departments were designated "crisis management" partners. The Department of Defense was assigned to provide training, and they left behind \$300,000 worth of training support equipment. The Department of Health and Human Services provided a project officer to assist with the development of a local terrorism response plan; funding for equipment, supplies and pharmaceuticals for the field level response Metropolitan Medical Task Force; and exercises of the chemical and biological plans. The Department of Justice provided an FBI special agent to assist with the development of the law enforcement elements of the terrorism response plan, and offered two competitive grants for police equipment. The three "consequence management" organizations were FEMA, EPA and DOE. FEMA would activate the Federal Response Plan and provide 75% of the emergency response costs. EPA would evaluate the environmental hazards and advise on personal protective equipment if the attack were biological or chemical. DOE would evaluate hazards and advise on personal protective equipment for radiological or nuclear events.

San Jose was the first city to complete an Incident Command System (ICS) compliant written terrorism response plan. It was also the first city to complete the Department of Defense exercise program.

B. PURPOSE

This plan has been developed to provide the basis for government agencies, non-governmental organizations and the private sector to coordinate during terrorism events in San Jose to save lives, protect property and engender recovery. The Federal government defines a terrorist act as, "A violent act, or an act dangerous to human life, in violation of the criminal laws of the United States, or any State, to intimidate or coerce a government, the civilian population, or any segment thereof, in furtherance of political or social objectives." This plan addresses the roles of the Emergency Operations Center staff, and the relationships with the field forces and the community in a WMD event.

C. SCOPE

This plan addresses terrorist attacks based on chemical, biological, radiological, nuclear or explosive weapons. It addresses those elements of the emergency organization that would have specific emphasis during a terrorist event.

This plan is intended as a guide; it can be modified, as necessary, to cope with unforeseen conditions and events.

D. CONCEPT OF OPERATIONS

The terrorism response of the City of San Jose will comply with ICS and SEMS, and with NIMS when implemented.

A terrorist incident is both a community disaster and a crime scene. The normal multi-hazard functional plan addresses many elements of the community disaster response. The crime scene issues must be addressed by a combination of law enforcement resources and cooperation by other field forces, including fire, environmental services, transportation, and public health.

TERRORISM AND HOMELAND SECURITY RESPONSE STANDARD OPERATING PROCEDURE

PART II

A. MANAGING TERRORISM RESPONSE OPERATIONS

The commencement of terrorism response operations may be based on a threat or an actual event. It may be based on an increase in the national terror alert level (Orange or Red for the location), or notifications from the Joint Terrorism Task Force, the Federal Bureau of Investigation, the State Office of Emergency Services or other credible source. The principal emergency functions needed are Management, Emergency Public Information, Operations Chief, Communications, Fire & Rescue, Law Enforcement & Traffic Control, Care & Shelter, Construction & Engineering, Planning (Damage Assessment, Situation Analysis, and Recovery), and Logistics (Procurement). These functions are described as they relate to terrorism response to actual event or threatened event. Figure 1 lists the responsible and supporting elements of government, non-governmental organizations and the private sector and shows their relationships to the terrorist response-related emergency response functions.

Material following Figure 1 describes each of the functions as they relate to a terrorism emergency. These sections also provide a structure for organizing attachments, as needed. SOPs and attachments have been prepared and are maintained by the responsible and supporting departments.

Figure 1

PRIMARY & SUPPORTING AGENCIES	TERRORISM RESPONSE FUNCTIONS										
	Management Section Chief	Emergency Public Info	Terrorist Advisory	Fire/Rescue	Operation Chief	Law Enforcement - Traffic Control	Care & Shelter	Construction Engineering	Planning Intelligence	Logistics	IT/Telecomm
P = Primary S = Supporting											
City Manager	P	P	S								
Airport		S	S				S		S		
Convention Arts and Entertainment		S					S				
Employee Services							S			S	
Environmental Services		S						S	S	S	
Fire		S	S	P	P			S	S	S	S
General Services							S			P	S
Information Technology										S	P
Parks, Recreation and Neighborhood Services		S					P				
Planning, Building and Code Enforcement							S	S	P		S
Police		S	P	S	S	P			S	S	S
Public Works				S		S		P	S		S
Transportation			S	S		S		S	S	S	S
American Red Cross							S				
News Media		S	S								
RACES			S						S	S	S
Private Sector								S			
San Jose Prepared!			S	S			S		S		
San Jose Search & Rescue				S					S		
Santa Clara County Health Department							S		S		
School Districts							S				

1. Management

a. Purpose

The City Manager is the Management Section Chief/Director of Emergency Services (MSC) and, as such, controls and directs the efforts of the emergency organization. The Management Section Chief oversees all work in the Emergency Operations Center and performs all standard SEMS responsibilities.

b. Organization

The emergency organization will be mobilized as necessary to respond to the threat of terrorist attack or terrorism emergency. Departmental Standard Operating Procedures (SOPs) for terrorist events will be followed, including the San Jose Metropolitan Medical Task Force plans.

2. Emergency Public Information

a. Purpose

The purpose of the Emergency Public Information function is to ensure community awareness of imminent terrorist threats, personal protective measures, and recovery procedures by providing official news releases to the news media and via direct communication to the public, under the direction of the Assistant City Manager.

b. Organization - Responsible and Supporting Agencies

Responsible Agency: City Manager's Office

Supporting Agencies: Police Department
Fire Department
Parks, Recreation & Neighborhood Services
Conventions, Arts & Entertainment
Environmental Services
Airport
News Media

c. Operational Phases and Plan Activation

1) Preparedness Phase Actions

The Public Information Officer (PIO) will develop or revise sample text for news releases and for alert, evacuation and shelter-in-place leaflets. Leaflets should be in appropriate community languages. The PIO should be prepared to disseminate to San Jose residents literature on how to

prepare for an imminent terrorist attack, including sheltering in place. The PIO will revise the listing of news media contacts and state and federal counterparts, as appropriate.

The Personnel Branch of the Logistics Section will develop lists of bilingual City personnel available to assist in translating news releases, and public education leaflets, and in staffing phone lines and assistance centers.

The Police Department Intelligence Unit will provide periodic status reports to the Chief of Police who will coordinate release of appropriate information with the PIO.

2) Increased Readiness Phase Actions

When the MSC designates a state of local increased readiness, the PIO will provide news media with releases advising them of conditions as they change.

The PIO will work with broadcasters to provide public information through the emergency alert system, and normal newscasts and programming.

The PIO will coordinate with 277-4000 to provide information to the public and will prepare messages for dissemination. The PIO will publicize the telephone number.

The appropriate bilingual City staff will translate and record the PIO's messages to provide pertinent information to the public via 277-HELP. The PIO will publicize the telephone number.

3) Terrorism Emergency Phase Actions

The PIO will keep the public informed of developing conditions and of prudent actions to take via the news media and 277-HELP messages.

The PIO will utilize the full capabilities of the news media to the maximum extent appropriate for broadcasting timely terrorism response advisories, and calming messages to the public.

4) Recovery Phase Actions

The PIO will inform the public of Disaster Assistance Centers (DACs) and other available recovery assistance by news releases, interviews with officials, and 277-HELP recordings or operators. The PIO will provide the media and public with all necessary follow-up information related to personal protective measures, medical care, damage assessments (public

and private) and to returning the community to pre-disaster conditions. The PIO will coordinate with state and federal counterparts. Once a Joint Information Center (JIC) is opened all information regarding the investigation will come from the JIC. Community care information will continue to come from the City EOC.

3. Terrorism Advisories

a. Purpose

The purpose of the terrorism advisory function is to provide timely information to the community regarding potential timeframes for potential impacts.

b. Organization - Responsible and Supporting Agencies

Responsible Agency: Police Intelligence

Supporting Agencies: City Manager
Police Department
Fire Department
Airport
Department of Transportation
Neighborhood Associations
RACES
San Jose Prepared!
News Media

c. Operational Phases and Plan Activation

The Assistant MSC is in charge of all messages released to the public and the media, and as such must approve all warning notices and press releases.

The Police and Fire Chiefs are responsible for neighborhood notification, based on direction of the MSC, and information provided by the FBI, State Warning Center or other reliable sources.

Upon receiving advisory messages, neighborhood associations and mobile home park managers will then execute any community warning plans.

The Emergency Public Information Officer PIO is responsible for communicating city-specific terrorism related news releases to the news media.

1) Preparedness Phase Actions

The Office of Emergency Services revises City key personnel alerting lists on an ongoing basis.

Police and Fire Departments and the Office of Emergency Services regularly reviews intelligence shared with them by State and Federal authorities.

2) Increased Readiness Phase Actions

The PIO will assure that the PIO Branch is prepared to issue terrorism-related media releases and community advisories.

3) Emergency Phase Actions

The DES may declare a State of Local Emergency due to imminent attack or threatened attack, or after an attack. The City Manager/DES will keep the Mayor and City Council informed of significant actions taken.

The Police Chief will establish the geographical scope for terrorism advisories based on information obtained from the FBI, State Warning Center or other government source. The PIO will manage and coordinate its issuance. The Police Chief will request appropriate supporting agencies. The Assistant City Manager will approve press releases, handbills, 277-HELP messages, and official statements prepared by the PIO.

The Police Communications Supervisor will, as directed, notify and/or call back City staff.

The PIO will provide written advisories in the format directed and approved by the Assistant City Manager. The E will set up media conferences as directed. The PIO will prepare for approval media releases, handbills, 277-HELP messages in appropriate languages. The E will publicize the 277-HELP activation. At the direction of the Assistant City Manager, the E will use all appropriate media contact points to enhance community awareness of potential terrorism event impacts.

The Police Department will direct and coordinate field-warning activities when directed by the MSC or in support of an evacuation order. The Police Department will provide warning by vehicle-mounted public address speakers or sirens, as possible. The Fire Department (including Fire Explorers and San Jose SAR volunteers) will provide support to Police field-warning activities, if personnel are available. San Jose *Prepared!* will provide support to Police field-warning activities in the neighborhoods where teams are available.

Neighborhood associations and mobile home park managers who have agreed to coordinate in providing community emergency advisories, after notification, may issue terrorism warnings as described in their plans.

The Police Department will keep the Assistant City Manager apprised of any problems in promulgating terrorism advisories as they arise and inform him/her immediately when assigned tasks are completed. The Assistant City Manager will keep the MSC informed (periodically or as directed) of the status of community advisory operations.

The MSC will inform the State OES, Coastal Region (via the Operational Area), of the situation/status during EOC activations.

B. OPERATIONS SECTION

1. Operations Chief

a. Purpose

The role of the Operations Chief is to provide centralized control and coordination of emergency operations.

b. Organization

The Fire Chief is the Operations Chief. The Emergency Operations Center will be staffed in accordance with the City Emergency Operations Plan.

c. Operational Phases and Plan Activation

The four operational phases are Preparedness Phase, Increased Readiness Phase, Flood Emergency Phase, and Recovery Phase.

1) Preparedness Phase. This phase includes "readiness actions" such as reviewing plans, revising alert lists, and checking equipment and supplies. This phase also includes starting to collect up-to-date situation appraisal and reporting of evolving conditions with the Joint Terrorism Task Force.

2) Increased Readiness Phase. Actions to be taken as the probability of terrorist event appears likely to the City Manager/Director of Emergency Services (DES):

a) Increased Readiness Phase Actions

The Increased Readiness Phase is designated by the City Manager/DES. S/he may establish a state of local increased readiness based on recommendation of the Police Department Intelligence staff.

Once the City Manager/DES establishes a state of local increased readiness, all City emergency functions will begin executing the Increased Readiness Phase actions of their plans.

The Director of Emergency Preparedness (DEP) will inform the State of California OES, Coastal Region, via the Operational Area, when an Increased Readiness Phase (or any other phase) has begun. The DEP will ready the EOC for rapid activation.

b) Stepping Up the Level of Increased Readiness

The City Manager/DES may step up the level of readiness when the Police Chief advises him/her of a high likelihood of terrorist attack, or when the City Manager/DES has other reasons to develop a higher degree of readiness. This step-up in readiness may include activating and staffing the EOC and accelerating increased readiness actions.

c) Spontaneous and Voluntary Evacuation

If spontaneous evacuation occurs, the City Manager/DES may provide support by City-directed resources.

The City Manager/DES has the option to advise voluntary evacuation of an area near a known threat/target. Residents of the area shall be given support by City-directed resources.

3) Emergency Phase. Actions taken during the Emergency.

a) Emergency Phase Actions

The Emergency Phase is designated by the City Manager/DES.

The City Manager/DES may direct the Police Chief to issue a voluntary evacuation advisory, or order the evacuation of an area that is, or is expected to become, a life or health hazard through direct effects or indirect effects (such as loss of vital utilities) of a terrorist attack. This type of area is defined as an "evacuation area."

b) Evacuation of Residents

The City Manager/DES shall direct the Chief of Police to order an evacuation only after declaring a State of Local Emergency due to terrorist event. The authority for ordering an evacuation is in Government Code 38791 (See Attachment 1).

Once the City Manager/DES declares a State of Local Emergency, all directors of departments with emergency functions will begin executing the Emergency Phase Actions of their plans.

4) Recovery Phase. Actions to be taken following the emergency.

- a) All City department directors and chiefs will prepare after-action reports for the City Manager/DES.
- b) Individual disaster recovery assistance may be offered by the Federal Emergency Management Agency (FEMA). This may include Disaster Application Centers (DACs) established by the Federal Emergency Management Agency (FEMA) and the State of California OES to assist residents with recovery activities. The City of San Jose will provide logistical support to the DACs. The type and degree of City staffing and support will depend upon the needs of the citizens and the direction of FEMA and State OES.
- c) At the termination of the local emergency, the DES will appoint a designated representative for Public Assistance and a designated representative for Individual Assistance.
- d) Within 10 days all department directors will provide material for FEMA Schedule B claims to the City's designated representative for Public Assistance.
- e) All departments will continue all actions needed to return the community to pre-disaster functioning.
- f) All departments will cooperate with the designated representative for Public Assistance to assure that all City claims are properly filed to maximize reimbursement from FEMA and State OES.
- g) DEP will support FEMA and State OES in opening Disaster Application Centers (DACs), if needed, or work with the E and news media to publicize alternate methods of getting help through the Individual Assistance programs.

2. Fire and Rescue

a. Purpose

The purpose of the Fire and Rescue function is to provide event size-up, recognition of the potential for the event being a chemical, biological, radiological, nuclear or explosive event caused by a terrorist group, rescue, and immediate field level medical care to persons who are victims of a terrorist attack. The Fire Department is responsible for establishing a hot zone/ warm zone/cold zone, and for advising on appropriate PPE for all personnel.

b. Organization - Responsible and Supporting Agencies

Responsible Agency: Fire Department

Supporting Agencies: Police Department
Department of Public Works
Department of Transportation
San Jose *Prepared!*
San Jose Search & Rescue (SAR)

c. Operational Phases and Plan Activation

1) Preparedness Phase Actions

The Fire Department inventories terrorist response equipment as a matter of routine activity. Resource lists of PPE, antidotes, detectors and specialized medical supplies will be checked and revised as necessary.

2) Increased Readiness Phase

The Fire Department will mobilize terrorism response equipment as appropriate. The Fire Department maintains a confidential list of terrorist response equipment.

3) Emergency Phase Actions

The Fire Department will provide recognition, PPE advisories, zone management, rescue and field level medical treatment to persons in a terrorist attack area to the maximum extent possible, considering personnel safety. The Fire Department will utilize supporting agencies, as appropriate.

The Public Works Department and Transportation Department will provide available engineering support as necessary and will call upon the private sector when applicable.

San Jose *Prepared!* members will respond within their own neighborhoods to provide assistance to neighbors, including calming and psychological defusing.

3. Law Enforcement, Force Protection and Traffic Control (evacuation)

a. Purpose

The purpose of the Law Enforcement, Force Protection and Traffic Control function is to provide event-related crowd control, scene control, evidence protection, force protection and traffic control, evacuation operations, and to maintain law and order during operations. Their work will be coordinated with the FBI, the County Medical Examiner/Coroner, the County Public Health Laboratory, local hospitals, and mutual aid partners, as appropriate.

b. Organization - Responsible and Supporting Agencies

Responsible Agency: Police Department

Supporting Agencies: Department of Transportation
Public Works Department

c. Operational Phases and Plan Activation

1) Preparedness Phase Actions

The Police Department will review its terrorism standard operating procedures; including evacuation routes and traffic control points, and evidence protection protocols, and revise them as necessary. The Police Mobile Command Post and mobile radio station/DUI vehicle should be inspected for readiness.

2) Increased Readiness Phase Actions

The Police Department will prepare to activate the terrorism response SOPs.

3) Emergency Phase Actions

The Police Chief is responsible for all evacuation functions. In the event evacuation operations are required, s/he reports directly to the Operations Chief. The Operations Chief will keep the E and Situation Analysis staff informed of street closures and traffic routings.

The Police Department, coordinating with Transportation for personnel and barricades, will activate the Traffic Control Plan as established for the event.

The Police Department will allow no unauthorized persons to enter or return to a sealed off area without permission of the Police field commander

The Police Department will establish a Mobile Command Post as close to the disaster area as prudent, or as directed by the Operations Chief.

At the order of the Police Chief, the Logistics Section Chief will arrange evacuee transportation by bus from Assembly Points to Congregate Care Centers coordinating with the Santa Clara Valley Transportation Authority. The Police Department will provide support and escort service as necessary.

4. Medical Operations

This is a County function. A Medical Liaison position may be activated by the Operations Chief.

5. Medical Examiner/Coroner

This is a County function. A Coroner Liaison may be activated by the Operations Chief.

6. Care And Shelter

a. Purpose

The purpose of the Care and Shelter function is to provide congregate care and shelter for San Jose residents and visitors affected by a potential or actual terrorist event.

b. Organization - Responsible and Supporting Agencies

Responsible Agency: Parks, Recreation & Neighborhood Services

Supporting Agencies: American Red Cross (Federal Mandate)
Conventions, Arts & Entertainment
General Services Department
School Districts
Santa Clara County, Department of Health
Employee Services Department
Airport
Planning, Building and Code Enforcement
San Jose ***Prepared!***

c. Operational Phases and Plan Activation

1) Preparedness Phase Actions

The Director of Parks, Recreation & Neighborhood Services (PRNS) will review shelter plans and alert lists, establish liaison with supporting agencies to review agreements and confirm facility availability.

2) Increased Readiness Phase Actions

The Director of PRNS will advise his/her staff and supporting agency liaisons of the situation, including potential need for congregate care facilities. S/he will provide his/her staff with shelter management refresher training. S/he will establish communications and coordinate all activity with the liaison appointed by the American Red Cross, Santa Clara Valley Chapter. S/he will alert the Damage Assessment Branch of anticipated manpower needs for structural inspection and safety support activities.

3) Emergency Phase Actions

The Director of PRNS will alert and mobilize staff and supporting agencies as necessary. S/he will open congregate care centers and/or shelters in accordance with the agreement with the American Red Cross as directed by the Operations Chief. S/he may request manpower support, if necessary, from the Employee Services Department, including bilingual staff and extra staffing. She will coordinate with the Fire Branch to ensure that shelterees have been evaluated for contamination, to ensure that no contaminated people are admitted to shelters.

The Director of PRNS shall request sanitation, health and/or facility inspections and support from Operations/Public Health Liaison.

The Director of PRNS shall request the PIO to create announcements and/or informational pamphlets that would benefit evacuees requiring shelter.

4) Recovery Phase Actions

The Director of PRNS will assist the American Red Cross in closing congregate care centers and/or shelters.

7. Construction and Engineering

a. Purpose

The purpose of the Construction & Engineering function is to support public safety staff in managing traffic through physical barriers and rerouting, and in evaluating and dealing with any impacts of the terrorist event.

b. Organization - Responsible and Supporting Agencies

Responsible Agency: Public Works Department

Supporting Agencies: Department of Transportation
Fire Department
Environmental Services
Planning, Building and Code Enforcement
Private Sector

c. Operational Phases and Plan Activation

1) Preparedness Phase Actions

- a) The Director of Transportation will inventory the barricades and traffic delineators, and replenish if necessary.

2) Increased Readiness Phase Actions

The Directors of Public Works and Transportation will coordinate regarding potential need for traffic control devices, including the use of traffic cameras for surveillance, and the use of electronic sign boards to manage traffic patterns.

The Director of Public Works will obtain inspection and security status reports from owners of dams and levees, and from utility companies.

The Director of Environmental Services will obtain inspection and security status information from water operators and sanitary sewer/ water pollution control plant operators that serve San Jose.

The Directors will immediately inform the DEP with a status report if there is a heightened security concern, and, if necessary, a recommendation for action. The DEP will contact the DES for permission to open the EOC. The Directors will also inform Police, Fire, Transportation, General Services, and any other support departments of any heightened security concerns. OES may relay the report via the Operational Area to the State OES, Coastal Region office, when appropriate.

3) Emergency Phase Actions

- a) The Director of Transportation will implement his/her Alert and Mobilization Plan and implement general traffic control operations until a specific plan is developed.
- c) The Director of Employee Services will coordinate with the Volunteer Center of the Silicon Valley to oversee the registration of volunteer forces, individuals, and groups and assist in their allocation and assignment.

4) Recovery Phase Actions

The Director of Transportation will have traffic control devices related to the terrorist event removed from public property and restore the traffic cameras.

C. PLANNING/INTELLIGENCE SECTION

1. Situation Analysis

a. Purpose

The purpose of Situation Analysis is to use information from Police, BATWING, Fire, OES, and State and Federal partners to determine if a terrorist event is impending, and to forecast the likelihood of its occurrence as a basis for recommendations to the DES. Police Intelligence Unit will be a key member of the team. Fire Department companies will provide timely local information.

b. Organization - Responsible and Supporting Agencies

Responsible Agency: Department of Planning, Building and Code Enforcement

Supporting Agencies: Police Intelligence Unit
Fire Department
Environmental Services Department
RACES
Airport

c. Operational Phases and Plan Activation

1) Preparedness Phase Actions

The Police Intelligence Unit will maintain coordination with State and Federal law enforcement partners.

The Director of Emergency Preparedness will maintain coordination with State and Federal emergency preparedness and Homeland Security partners.

2) Increased Readiness Phase Actions

The Planning/Intelligence Section Chief will ensure that adequate maps are available for tracking any events that may occur. He/she will coordinate with GIS coordinators for City departments to ensure that electronic maps are available for use in tracking unfolding events.

The Situation Analysis Unit will determine if the State has named an event on the RIMS system, and will prepare to send appropriate RIMS forms when appropriate.

3) Emergency Phase Actions

- a) When the national alert level is raised to Red for the Bay Area, or Police Intelligence Unit believes that a terrorist event is imminent or evident, the Police Department will conduct an investigation and analysis to identify the sources of the information and its credibility, and shall report the results promptly to the DES and DEP with recommendations for action.
- b) The DES may declare a State of Local Emergency due to a terrorist event. The DEP will coordinate with State and Federal partners, and the Situation Analysis Unit will ensure that the appropriate RIMS forms are filed with the Operational Area.
- c) The Unit will maintain contact with the National Weather Service to determine relevant weather conditions, including temperature, humidity and wind direction for analyzing the potential movement of any plume of agent or dust and debris that may develop.
- d) The DEP will consult with the DES to schedule the next Action Planning Briefing, and with the Police and Fire Chiefs to develop a recommended plan of action based on the departmental SOPs and the Terrorism Response SOP, which may include any or all of the following actions: activation of the San Jose MMTF and MMRS, a request for mutual aid for MMTF resources, activation of the Mass Casualty Incident Plan, and a request for the Civil Support Team and/or specialized Federal teams.
- e) The Planning/Intelligence Section Chief evaluates the need for shelter and temporary housing based on the situation analysis, and coordinates with Care and Shelter Section and Housing Department.
- f) The Planning/Intelligence Section Chief evaluates the need for infrastructure repairs and coordinates with Construction & Engineering.
- g) The Planning/Intelligence Section Chief evaluates the need for repairs to major public facilities and coordinates with Construction & Engineering.
- h) The Recovery Branch Director reviews the disaster damage assessment information and takes any steps that will hasten community recovery.

3) Recovery Phase Actions

The Situation Analysis Unit Leader will prepare documentation sets as required by Finance for reimbursement, and as required by RIMS.

2. Damage Assessment Unit

a. Purpose

The Damage Assessment Unit is organized to collect and document information on the extent of damage to privately owned property and publicly owned property related to the terrorist event. The Unit will share the information with the Situation Analysis Unit for inclusion in all appropriate RIMS reports, and the Action Planning Briefing.

b. Organization - Responsible and Supporting Agencies

Responsible Agency: Planning, Building and Code Enforcement

Supporting Agencies: Public Works
Department of Transportation
Housing Department
Environmental Services Department
RACES

c. Operational Phases and Plan Activation

1). Preparedness Phase Actions

The Damage Assessment Unit leader will ensure that all Damage Assessment field staff are trained and equipped for damage assessment.

2). Increased Readiness Phase Actions

The Damage Assessment Unit leader will ensure that all boards and equipment in the EOC are ready, and all maps are current.

3). Emergency Phase Actions

As soon as it is safe, the Damage Assessment Unit Leader will deploy the field teams to collect damage assessment information in the terrorist attack area. If Fire has established a hot zone and warm zone due to contamination or other unsafe conditions, the Unit will conduct damage assessment using the GIS maps of the affected areas, and HAZUS information, as available.

4). Recovery Phase Actions

The Unit will monitor changes in community condition and maintain current damage assessment information for all affected properties within San Jose, for use in Action Planning Briefings and in RIMS reports.

3. Recovery Planning Unit

a. Purpose

The Recovery Planning Unit is organized to evaluate the disaster as it unfolds, and to determine the steps that must be taken to ensure the rapid recovery of the community from the disaster.

b. Organization - Responsible and Supporting Agencies

Responsible Agency: Planning, Building and Code Enforcement

Supporting Agencies: Fire Department
Housing Department
Department of Transportation
Environmental Services Department
RACES

c. Operational Phases and Plan Activation

1). Preparedness Phase Actions

The Recovery Planning Unit Leader will follow the Situation Analysis work and determine actions needed to enhance community recovery, including inventorying potential expedient shelters in parking garages, City-owned facilities and privately owned facilities.

2). Increased Readiness Phase Actions

The Recovery Planning Unit Leader will review Situation Analysis work and review and update Unit plans.

3). Emergency Phase Actions

The Recovery Unit Leader evaluates the need for debris removal from public and private property, and begins working with City departments to determine if the debris is contaminated, and the Logistics Section to organize staffing, rollout bins, and equipment for debris removal. Federal resources will be contacted to assist with the removal of contaminated debris

The Unit will evaluate the need for short term and long term housing for community members, locations for DACs and other Federal facilities, Joint Operations Centers, Joint Information Centers, and other facilities for federal partners.

The Unit will evaluate the need for facilities for community psychological care, mass prophylaxis distribution, and victim and family assistance.

4). Recovery Phase Actions

The Recovery Unit Leader will oversee the implementation of all Recovery plans, and advise the MSC on the management of the Recovery Phase.

The Department of Planning, Building & Code Enforcement (PB&CE) will develop an abbreviated inspection and permitting process when appropriate to the disaster, and provide assistance to residents needing disaster-recovery work. PB&CE may request the City Council to reduce or waive fees, where appropriate.

D. LOGISTICS SECTION

1. Logistics Chief

a. Purpose

The purpose of the Logistics function is to plan, direct, and provide logistical support to the emergency response and recovery operations.

b. Organization – Responsible and Supporting Agencies

Responsible Agency: General Services

Supporting Agencies: Police Department
Fire Department
Department of Transportation
Environmental Services Department
Employee Services
Information Technology
RACES
Private Sector

c. Operational Phases and Plan Activation

1) Preparedness Phase Action

- a) The Director of General Services will inventory emergency response equipment in City stocks and coordinate with user departments to be sure supplies are adequate.
- b) The Director of General Services will update emergency telephone numbers of vendors of critical resources.

2) Increased Readiness Phase Action

The Director of General Services will confirm the adequacy of stockpile supplies with user departments.

3) Emergency Phase Action

The Director of General Services will respond to the EOC as required, and mobilize departmental personnel according to the GSA procedure, in support of the Logistics Section. Principal concerns will mirror the Emergency Operations Plan standard actions.

The Director of General Services will coordinate with County Public Health personnel to ensure that adequate facilities are available for

vaccination centers, community prophylaxis, medical surveillance, or other related purposes.

4) Recovery Phase Actions

- a) The Director of General Services will coordinate with other departments to restock depleted supplies.
- b) The Director of General Services will assist the designated representative for Public Assistance to ensure that appropriate documentation is provided for reimbursement by FEMA and State OES.

2. IT/Telecommunications

a. Purpose

The purpose of the IT/Telecom function is to ensure that adequate radio and telecommunications are available during a terrorist event.

b. Organization - Responsible and Supporting Agencies

Responsible Agency: Information Technology

Supporting Agencies: Fire Communications
Police Communications
Department of General Services
Department of Public Works
Department of Transportation
Planning, Building and Code Enforcement
RACES
San Jose Search & Rescue
Private Sector Telecommunications

c. Operational Phases and Plan Activation

1) Preparedness Phase Action

Emergency communications equipment, which is not in day-to-day use, will be checked.

The Information Technology staff will check telephones and radios at the EOC monthly and report any problems for repair.

The responsible department will test emergency telephones and radios not located in the EOC. Inoperable equipment will be repaired and returned to service as soon as possible.

2) Emergency Phase Action

Emergency response may begin at the field or EOC level.

Communications resources to be considered, regardless of the level of EOC activation, include:

- Open the Department of Transportation Dispatch Center
- San Jose RACES
- San Jose Search & Rescue Communications Van
- Police Mobile Command Post and/or Mobile Radio Station/DUI vehicle
- Fire Command Post Support Vehicle
- IT Communications Manager:
 - ✓ Will distribute communications equipment (pagers, radios, cellular phones) if required and if available.
 - ✓ Will contact Southern Bell liaison, if required.

The DEP will coordinate with the PIO to script and record an appropriate message on 277-HELP, in appropriate languages. At the direction of the MSC, 277-HELP may become a staffed answering point, using City staff from the Neighborhood Development Center and/or Police Communications. The operators will respond to public inquiries. Requests to the Public Information Officer (PIO) for information from the news media will be forwarded appropriately, and their media line may be activated and publicized.

E FINANCE SECTION

1. Finance Section Chief is the Director of Finance.

a. Purpose

The role of the Finance Section Chief is to ensure that all disaster-related expenses are accounted for, and that Federal and State reimbursements are obtained.

b. Organization

Finance representation may be provided in person or electronically.

2. Operational Phases and Plan Activation

a. Preparedness Phase Actions

- 1) By October 1 of each year Finance will review and update the reimbursement manual to ensure compliance with Federal and State reimbursement guidelines.
- 2) By October 15 a new/revised manual will be prepared, if needed. One copy will be provided to each EOC Section Chief and the DEP
- 3) By October 15 Risk Management will review all disaster-related insurance policies for City-owned buildings and ensure that the policies meet minimum standards for coverage.

b. Emergency Phase Actions

- 1) Support EOC operation as outlined in City Emergency Operations Plan (EOP).
- 2) Appoint an individual to serve as the point of contact for financial tracking.

c. Recovery Phase Actions

- 1) Coordinate all financial recovery from FEMA and State with the designated representatives for Public Assistance.
- 2) Assist the designated representatives with all paperwork and form filing for reimbursement to the City of San Jose.
- 3) Risk Management will determine whether to recommend that the City acquire new or additional insurance policies for all damaged City-owned buildings, ensuring compliance with any FEMA requirements.



For Immediate Release
Office of the Press Secretary
February 28, 2003

Homeland Security Presidential Directive/HSPD-5

Subject: Management of Domestic Incidents

Purpose

(1) To enhance the ability of the United States to manage domestic incidents by establishing a single, comprehensive national incident management system.

Definitions

(2) In this directive:

(a) the term "Secretary" means the Secretary of Homeland Security.

(b) the term "Federal departments and agencies" means those executive departments enumerated in 5 U.S.C. 101, together with the Department of Homeland Security; independent establishments as defined by 5 U.S.C. 104(1); government corporations as defined by 5 U.S.C. 103(1); and the United States Postal Service.

(c) the terms "State," "local," and the "United States" when it is used in a geographical sense, have the same meanings as used in the Homeland Security Act of 2002, Public Law 107-296.

Policy

(3) To prevent, prepare for, respond to, and recover from terrorist attacks, major disasters, and other emergencies, the United States Government shall establish a single, comprehensive approach to domestic incident management. The objective of the United States Government is to ensure that all levels of government across the Nation have the capability to work efficiently and effectively together, using a national approach to domestic incident management. In these efforts, with regard to domestic incidents, the United States Government treats crisis management and consequence management as a single, integrated function, rather than as two separate functions.

(4) The Secretary of Homeland Security is the principal Federal official for domestic incident management. Pursuant to the Homeland Security Act of 2002, the Secretary is responsible for coordinating Federal operations within the United States to prepare for, respond to, and recover from terrorist attacks, major disasters, and other emergencies. The Secretary shall coordinate the Federal Government's resources utilized in response to or recovery from terrorist attacks, major disasters,

or other emergencies if and when any one of the following four conditions applies: (1) a Federal department or agency acting under its own authority has requested the assistance of the Secretary; (2) the resources of State and local authorities are overwhelmed and Federal assistance has been requested

by the appropriate State and local authorities; (3) more than one Federal department or agency has become substantially involved in responding to the incident; or (4) the Secretary has been directed to assume responsibility for managing the domestic incident by the President.

(5) Nothing in this directive alters, or impedes the ability to carry out, the authorities of Federal departments and agencies to perform their responsibilities under law. All Federal departments and agencies shall cooperate with the Secretary in the Secretary's domestic incident management role.

(6) The Federal Government recognizes the roles and responsibilities of State and local authorities in domestic incident management. Initial responsibility for managing domestic incidents generally falls on State and local authorities. The Federal Government will assist State and local authorities when their resources are overwhelmed, or when Federal interests are involved. The Secretary will coordinate with State and local governments to ensure adequate planning, equipment, training, and exercise activities. The Secretary will also provide assistance to State and local governments to develop all-hazards plans and capabilities, including those of greatest importance to the security of the United States, and will ensure that State, local, and Federal plans are compatible.

(7) The Federal Government recognizes the role that the private and nongovernmental sectors play in preventing, preparing for, responding to, and recovering from terrorist attacks, major disasters, and other emergencies. The Secretary will coordinate with the private and nongovernmental sectors to ensure adequate planning, equipment, training, and exercise activities and to promote partnerships to address incident management capabilities.

(8) The Attorney General has lead responsibility for criminal investigations of terrorist acts or terrorist threats by individuals or groups inside the United States, or directed at United States citizens or institutions abroad, where such acts are within the Federal criminal jurisdiction of the United States, as well as for related intelligence collection activities within the United States, subject to the National Security Act of 1947 and other applicable law, Executive Order 12333, and Attorney General-approved procedures pursuant to that Executive Order. Generally acting through the Federal Bureau of Investigation, the Attorney General, in cooperation with other Federal departments and agencies engaged in activities to protect our national security, shall also coordinate the activities of the other members of the law enforcement community to detect, prevent, preempt, and disrupt terrorist attacks against the United States. Following a terrorist threat or an actual incident that falls within the criminal jurisdiction of the United States, the full capabilities of the United States shall be dedicated, consistent with United States law and with activities of other Federal departments and agencies to protect our national security, to assisting the Attorney General to identify the perpetrators and bring them to justice. The Attorney General and the Secretary shall establish appropriate relationships and mechanisms for cooperation and coordination between their two departments.

(9) Nothing in this directive impairs or otherwise affects the authority of the Secretary of Defense over the Department of Defense, including the chain of command for military forces from the President as Commander in Chief, to the Secretary of Defense, to the commander of military forces, or military command and control procedures. The Secretary of Defense shall provide military support to civil authorities for domestic incidents as directed by the President or when consistent with military readiness and appropriate under the circumstances and the law. The Secretary of Defense shall retain command of military forces providing civil support. The Secretary of Defense and the Secretary shall establish appropriate relationships and mechanisms for cooperation and coordination between their two departments.

(10) The Secretary of State has the responsibility, consistent with other United States Government activities to protect our national security, to coordinate international activities related to the prevention, preparation, response, and recovery from a domestic incident, and for the protection of United States citizens and United States interests overseas. The Secretary of State and the Secretary shall establish appropriate relationships and mechanisms for cooperation and coordination between their two departments.

(11) The Assistant to the President for Homeland Security and the Assistant to the President for National Security Affairs shall be responsible for interagency policy coordination on domestic and international incident management, respectively, as directed by the President. The Assistant to the President for Homeland Security and the Assistant to the President for National Security Affairs shall work together to ensure that the United States domestic and international incident management efforts are seamlessly united.

(12) The Secretary shall ensure that, as appropriate, information related to domestic incidents is gathered and provided to the public, the private sector, State and local authorities, Federal departments and agencies, and, generally through the Assistant to the President for Homeland Security, to the President. The Secretary shall provide standardized, quantitative reports to the Assistant to the President for Homeland Security on the readiness and preparedness of the Nation -- at all levels of government -- to prevent, prepare for, respond to, and recover from domestic incidents.

(13) Nothing in this directive shall be construed to grant to any Assistant to the President any authority to issue orders to Federal departments and agencies, their officers, or their employees.

Tasking

(14) The heads of all Federal departments and agencies are directed to provide their full and prompt cooperation, resources, and support, as appropriate and consistent with their own responsibilities for protecting our national security, to the Secretary, the Attorney General, the Secretary of Defense, and the Secretary of State in the exercise of the individual leadership responsibilities and missions assigned in paragraphs (4), (8), (9), and (10), respectively, above.

(15) The Secretary shall develop, submit for review to the Homeland Security Council, and administer a National Incident Management System (NIMS). This system will provide a consistent nationwide approach for Federal, State, and local governments to work effectively and efficiently together to prepare for, respond to, and recover from domestic incidents, regardless of cause, size, or complexity. To provide for interoperability and compatibility among Federal, State, and local capabilities, the NIMS will include a core set of concepts, principles, terminology, and technologies covering the incident command system; multi-agency coordination systems; unified command; training; identification and management of resources (including systems for classifying types of resources); qualifications and certification; and the collection, tracking, and reporting of incident information and incident resources.

(16) The Secretary shall develop, submit for review to the Homeland Security Council, and administer a National Response Plan (NRP). The Secretary shall consult with appropriate Assistants to the President (including the Assistant to the President for Economic Policy) and the Director of the Office of Science and Technology Policy, and other such Federal officials as may be appropriate, in developing and implementing the NRP. This plan shall integrate Federal Government domestic prevention, preparedness, response, and recovery plans into one all-discipline, all-hazards plan. The NRP shall be unclassified. If certain operational aspects require classification, they shall be included in classified annexes to the NRP.

(a) The NRP, using the NIMS, shall, with regard to response to domestic incidents, provide the structure and mechanisms for national level policy and operational direction for Federal support to State and local incident managers and for exercising direct Federal authorities and responsibilities, as appropriate.

(b) The NRP will include protocols for operating under different threats or threat levels; incorporation of existing Federal emergency and incident management plans (with appropriate modifications and revisions) as either integrated components of the NRP or as supporting operational plans; and additional operational plans or annexes, as appropriate, including public affairs and intergovernmental communications.

(c) The NRP will include a consistent approach to reporting incidents, providing assessments, and making recommendations to the President, the Secretary, and the Homeland Security Council.

(d) The NRP will include rigorous requirements for continuous improvements from testing, exercising, experience with incidents, and new information and technologies.

(17) The Secretary shall:

(a) By April 1, 2003, (1) develop and publish an initial version of the NRP, in consultation with other Federal departments and agencies; and (2) provide the Assistant to the President for Homeland Security with a plan for full development and implementation of the NRP.

(b) By June 1, 2003, (1) in consultation with Federal departments and agencies and with State and local governments, develop a national system of standards, guidelines, and protocols to implement the NIMS; and (2) establish a mechanism for ensuring ongoing management and maintenance of the NIMS, including regular consultation with other Federal departments and agencies and with State and local governments.

(c) By September 1, 2003, in consultation with Federal departments and agencies and the Assistant to the President for Homeland Security, review existing authorities and regulations and prepare recommendations for the President on revisions necessary to implement fully the NRP.

(18) The heads of Federal departments and agencies shall adopt the NIMS within their departments and agencies and shall provide support and assistance to the Secretary in the development and maintenance of the NIMS. All Federal departments and agencies will use the NIMS in their domestic incident management and emergency prevention, preparedness, response, recovery, and mitigation activities, as well as those actions taken in support of State or local entities. The heads of Federal departments and agencies shall participate in the NRP, shall assist and support the Secretary in the development and maintenance of the NRP, and shall participate in and use domestic incident reporting systems and protocols established by the Secretary.

(19) The head of each Federal department and agency shall:

(a) By June 1, 2003, make initial revisions to existing plans in accordance with the initial version of the NRP.

(b) By August 1, 2003, submit a plan to adopt and implement the NIMS to the Secretary and the Assistant to the President for Homeland Security. The Assistant to the President for Homeland Security shall advise the President on whether such plans effectively implement the NIMS.

(20) Beginning in Fiscal Year 2005, Federal departments and agencies shall make adoption of the NIMS a requirement, to the extent permitted by law, for providing Federal preparedness assistance through grants, contracts, or other activities. The Secretary shall develop standards and guidelines for determining whether a State or local entity has adopted the NIMS.

Technical and Conforming Amendments to National Security Presidential Directive-1 (NSPD-1)

(21) NSPD-1 ("Organization of the National Security Council System") is amended by replacing the fifth sentence of the third paragraph on the first page with the following: "The Attorney General, the Secretary of Homeland Security, and the Director of the Office of Management and Budget shall be invited to attend meetings pertaining to their responsibilities."

Technical and Conforming Amendments to National Security Presidential Directive-8 (NSPD-8)

(22) NSPD-8 ("National Director and Deputy National Security Advisor for Combating Terrorism") is amended by striking "and the Office of Homeland Security," on page 4, and inserting "the Department of Homeland Security, and the Homeland Security Council" in lieu thereof.

Technical and Conforming Amendments to Homeland Security Presidential Directive-2 (HSPD-2)

(23) HSPD-2 ("Combating Terrorism Through Immigration Policies") is amended as follows:

(a) striking "the Commissioner of the Immigration and Naturalization Service (INS)" in the second sentence of the second paragraph in section 1, and inserting "the Secretary of Homeland Security" in lieu thereof ;

(b) striking "the INS," in the third paragraph in section 1, and inserting "the Department of Homeland Security" in lieu thereof;

(c) inserting ", the Secretary of Homeland Security," after "The Attorney General" in the fourth paragraph in section 1;

(d) inserting ", the Secretary of Homeland Security," after "the Attorney General" in the fifth paragraph in section 1;

(e) striking "the INS and the Customs Service" in the first sentence of the first paragraph of section 2, and inserting "the Department of Homeland Security" in lieu thereof;

(f) striking "Customs and INS" in the first sentence of the second paragraph of section 2, and inserting "the Department of Homeland Security" in lieu thereof;

(g) striking "the two agencies" in the second sentence of the second paragraph of section 2, and inserting "the Department of Homeland Security" in lieu thereof;

(h) striking "the Secretary of the Treasury" wherever it appears in section 2, and inserting "the Secretary of Homeland Security" in lieu thereof;

(i) inserting ", the Secretary of Homeland Security," after "The Secretary of State" wherever the latter appears in section 3;

(j) inserting ", the Department of Homeland Security," after "the Department of State," in the second sentence in the third paragraph in section 3;

(k) inserting "the Secretary of Homeland Security," after "the Secretary of State," in the first sentence of the fifth paragraph of section 3;

(l) striking "INS" in the first sentence of the sixth paragraph of section 3, and inserting "Department of Homeland Security" in lieu thereof;

(m) striking "the Treasury" wherever it appears in section 4 and inserting "Homeland Security" in lieu thereof;

(n) inserting ", the Secretary of Homeland Security," after "the Attorney General" in the first sentence in section 5; and

(o) inserting ", Homeland Security" after "State" in the first sentence of section 6.

Technical and Conforming Amendments to Homeland Security Presidential Directive-3 (HSPD-3)

(24) The Homeland Security Act of 2002 assigned the responsibility for administering the Homeland Security Advisory System to the Secretary of Homeland Security. Accordingly, HSPD-3 of March 11, 2002 ("Homeland Security Advisory System") is amended as follows:

(a) replacing the third sentence of the second paragraph entitled "Homeland Security Advisory System" with "Except in exigent circumstances, the Secretary of Homeland Security shall seek the views of the Attorney General, and any other federal agency heads the Secretary deems appropriate, including other members of the Homeland Security Council, on the Threat Condition to be assigned."

(b) inserting "At the request of the Secretary of Homeland Security, the Department of Justice shall permit and facilitate the use of delivery systems administered or managed by the Department of Justice for the purposes of delivering threat information pursuant to the Homeland Security Advisory System." as a new paragraph after the fifth paragraph of the section entitled "Homeland Security Advisory System."

(c) inserting ", the Secretary of Homeland Security" after "The Director of Central Intelligence" in the first sentence of the seventh paragraph of the section entitled "Homeland Security Advisory System".

(d) striking "Attorney General" wherever it appears (except in the sentences referred to in subsections (a) and (c) above), and inserting "the Secretary of Homeland Security" in lieu thereof; and

(a) striking the section entitled "Comment and Review Periods."



For Immediate Release
Office of the Press Secretary
December 17, 2003

December 17, 2003 Homeland Security Presidential Directive/Hspd-7

Subject: Critical Infrastructure Identification, Prioritization, and Protection

Purpose

(1) This directive establishes a national policy for Federal departments and agencies to identify and prioritize United States critical infrastructure and key resources and to protect them from terrorist attacks.

Background

(2) Terrorists seek to destroy, incapacitate, or exploit critical infrastructure and key resources across the United States to threaten national security, cause mass casualties, weaken our economy, and damage public morale and confidence.

(3) America's open and technologically complex society includes a wide array of critical infrastructure and key resources that are potential terrorist targets. The majority of these are owned and operated by the private sector and State or local governments. These critical infrastructures and key resources are both physical and cyber-based and span all sectors of the economy.

(4) Critical infrastructure and key resources provide the essential services that underpin American society. The Nation possesses numerous key resources, whose exploitation or destruction by terrorists could cause catastrophic health effects or mass casualties comparable to those from the use of a weapon of mass destruction, or could profoundly affect our national prestige and morale. In addition, there is critical infrastructure so vital that its incapacitation, exploitation, or destruction, through terrorist attack, could have a debilitating effect on security and economic well-being.

(5) While it is not possible to protect or eliminate the vulnerability of all critical infrastructure and key resources throughout the country, strategic improvements in security can make it more difficult for attacks to succeed and can lessen the impact of attacks that may occur. In addition to strategic security enhancements, tactical security improvements can be rapidly implemented to deter, mitigate, or neutralize potential attacks.

Definitions

(6) In this directive:

(a) The term "critical infrastructure" has the meaning given to that term in section 1016(e) of the USA PATRIOT Act of 2001 (42 U.S.C. 5195c(e)).

(b) The term "key resources" has the meaning given that term in section 2(9) of the Homeland Security Act of 2002 (6 U.S.C. 101(9)).

(c) The term "the Department" means the Department of Homeland Security.

(d) The term "Federal departments and agencies" means those executive departments enumerated in 5 U.S.C. 101, and the Department of Homeland Security; independent establishments as defined by 5 U.S.C. 104(1); Government corporations as defined by 5 U.S.C. 103(1); and the United States Postal Service.

(e) The terms "State," and "local government," when used in a geographical sense, have the same meanings given to those terms in section 2 of the Homeland Security Act of 2002 (6 U.S.C. 101).

(f) The term "the Secretary" means the Secretary of Homeland Security.

(g) The term "Sector-Specific Agency" means a Federal department or agency responsible for infrastructure protection activities in a designated critical infrastructure sector or key resources category.

Sector-Specific Agencies will conduct their activities under this directive in accordance with guidance provided by the Secretary.

(h) The terms "protect" and "secure" mean reducing the vulnerability of critical infrastructure or key resources in order to deter, mitigate, or neutralize terrorist attacks.

Policy

(7) It is the policy of the United States to enhance the protection of our Nation's critical infrastructure and key resources against terrorist acts that could:

(a) cause catastrophic health effects or mass casualties comparable to those from the use of a weapon of mass destruction;

(b) impair Federal departments and agencies' abilities to perform essential missions, or to ensure the public's health and safety;

(c) undermine State and local government capacities to maintain order and to deliver minimum essential public services;

(d) damage the private sector's capability to ensure the orderly functioning of the economy and delivery of essential services;

(e) have a negative effect on the economy through the cascading disruption of other critical infrastructure and key resources; or

(f) undermine the public's morale and confidence in our national economic and political institutions.

(8) Federal departments and agencies will identify, prioritize, and coordinate the protection of critical infrastructure and key resources in order to prevent, deter, and mitigate the effects of deliberate efforts to destroy, incapacitate, or exploit them. Federal departments and agencies will work with State and local governments and the private sector to accomplish this objective.

(9) Federal departments and agencies will ensure that homeland security programs do not diminish the overall economic security of the United States.

(10) Federal departments and agencies will appropriately protect information associated with carrying out this directive, including handling voluntarily provided information and information that would facilitate terrorist targeting of critical infrastructure and key resources consistent with the Homeland Security Act of 2002 and other applicable legal authorities.

(11) Federal departments and agencies shall implement this directive in a manner consistent with applicable provisions of law, including those protecting the rights of United States persons.

Roles and Responsibilities of the Secretary

(12) In carrying out the functions assigned in the Homeland Security Act of 2002, the Secretary shall be responsible for coordinating the overall national effort to enhance the protection of the critical infrastructure and key resources of the United States. The Secretary shall serve as the principal Federal official to lead, integrate, and coordinate implementation of efforts among Federal departments and agencies, State and local governments, and the private sector to protect critical infrastructure and key resources. (13) Consistent with this directive, the Secretary will identify, prioritize, and coordinate the protection of critical infrastructure and key resources with an emphasis on critical infrastructure and key resources that could be exploited to cause catastrophic health effects or mass casualties comparable to those from the use of a weapon of mass destruction.

(14) The Secretary will establish uniform policies, approaches, guidelines, and methodologies for integrating Federal infrastructure protection and risk management activities within and across sectors along with metrics and criteria for related programs and activities.

(15) The Secretary shall coordinate protection activities for each of the following critical infrastructure sectors: information technology; telecommunications; chemical; transportation systems, including mass transit, aviation, maritime, ground/surface, and rail and pipeline systems; emergency services; and postal and shipping. The Department shall coordinate with appropriate departments and agencies to ensure the protection of other key resources including dams, government facilities, and commercial facilities. In addition, in its role as overall cross-sector coordinator, the Department shall also evaluate the need for and coordinate the coverage of additional critical infrastructure and key resources categories over time, as appropriate.

(16) The Secretary will continue to maintain an organization to serve as a focal point for the security of cyberspace. The organization will facilitate interactions and collaborations between and among Federal departments and agencies, State and local governments, the private sector, academia and international organizations. To the extent permitted by law, Federal departments and agencies with cyber expertise, including but not limited to the Departments of Justice, Commerce, the Treasury, Defense, Energy, and State, and the Central Intelligence Agency, will collaborate with and support the organization in accomplishing its mission. The organization's mission includes analysis, warning, information sharing, vulnerability reduction, mitigation, and aiding national recovery efforts for critical infrastructure information systems. The organization will support the Department of Justice and other law enforcement agencies in their continuing missions to investigate and prosecute threats to and attacks against cyberspace, to the extent permitted by law.

(17) The Secretary will work closely with other Federal departments and agencies, State and local governments, and the private sector in accomplishing the objectives of this directive.

Roles and Responsibilities of Sector-Specific Federal Agencies

(18) Recognizing that each infrastructure sector possesses its own unique characteristics and operating models, there are designated Sector-Specific Agencies, including:

(a) Department of Agriculture -- agriculture, food (meat, poultry, egg products);

(b) Health and Human Services -- public health, healthcare, and food (other than meat, poultry, egg products);

(c) Environmental Protection Agency -- drinking water and water treatment systems;

(d) Department of Energy -- energy, including the production refining, storage, and distribution of oil and gas, and electric power except for commercial nuclear power facilities;

(e) Department of the Treasury -- banking and finance;

(f) Department of the Interior -- national monuments and icons; and

(g) Department of Defense -- defense industrial base.

(19) In accordance with guidance provided by the Secretary, Sector-Specific Agencies shall:

(a) collaborate with all relevant Federal departments and agencies, State and local governments, and the private sector, including with key persons and entities in their infrastructure sector;

(b) conduct or facilitate vulnerability assessments of the sector; and

(c) encourage risk management strategies to protect against and mitigate the effects of attacks against critical infrastructure and key resources.

(20) Nothing in this directive alters, or impedes the ability to carry out, the authorities of the Federal departments and agencies to perform their responsibilities under law and consistent with applicable legal authorities and presidential guidance.

(21) Federal departments and agencies shall cooperate with the Department in implementing this directive, consistent with the Homeland Security Act of 2002 and other applicable legal authorities.

Roles and Responsibilities of Other Departments, Agencies, and Offices

(22) In addition to the responsibilities given the Department and Sector-Specific Agencies, there are special functions of various Federal departments and agencies and components of the Executive Office of the President related to critical infrastructure and key resources protection.

(a) The Department of State, in conjunction with the Department, and the Departments of Justice, Commerce, Defense, the Treasury and other appropriate agencies, will work with foreign countries and international organizations to strengthen the protection of United States critical infrastructure and key resources.

(b) The Department of Justice, including the Federal Bureau of Investigation, will reduce domestic terrorist threats, and investigate and prosecute actual or attempted terrorist attacks on, sabotage of, or disruptions of critical infrastructure and key resources. The Attorney General and the Secretary shall use applicable statutory authority and attendant mechanisms for cooperation and coordination, including but not limited to those established by presidential directive.

(c) The Department of Commerce, in coordination with the Department, will work with private sector, research, academic, and government organizations to improve technology for cyber systems and promote other critical infrastructure efforts, including using its authority under the Defense Production Act

to assure the timely availability of industrial products, materials, and services to meet homeland security requirements.

(d) A Critical Infrastructure Protection Policy Coordinating Committee will advise the Homeland Security Council on interagency policy related to physical and cyber infrastructure protection. This PCC will be chaired by a Federal officer or employee designated by the Assistant to the President for Homeland Security.

(e) The Office of Science and Technology Policy, in coordination with the Department, will coordinate interagency research and development to enhance the protection of critical infrastructure and key resources.

(f) The Office of Management and Budget (OMB) shall oversee the implementation of government-wide policies, principles, standards, and guidelines for Federal government computer security programs. The Director of OMB will ensure the operation of a central Federal information security incident center consistent with the requirements of the Federal Information Security Management Act of 2002.

(g) Consistent with the E-Government Act of 2002, the Chief Information Officers Council shall be the principal interagency forum for improving agency practices related to the design, acquisition, development, modernization, use, operation, sharing, and performance of information resources of Federal departments and agencies.

(h) The Department of Transportation and the Department will collaborate on all matters relating to transportation security and transportation infrastructure protection. The Department of Transportation is responsible for operating the national air space system. The Department of Transportation and the Department will collaborate in regulating the transportation of hazardous materials by all modes (including pipelines).

(i) All Federal departments and agencies shall work with the sectors relevant to their responsibilities to reduce the consequences of catastrophic failures not caused by terrorism.

(23) The heads of all Federal departments and agencies will coordinate and cooperate with the Secretary as appropriate and consistent with their own responsibilities for protecting critical infrastructure and key resources.

(24) All Federal department and agency heads are responsible for the identification, prioritization, assessment, remediation, and protection of their respective internal critical infrastructure and key resources. Consistent with the Federal Information Security Management Act of 2002, agencies will identify and provide information security protections commensurate with the risk and magnitude of the harm resulting from the unauthorized access, use, disclosure, disruption, modification, or destruction of information.

Coordination with the Private Sector

(25) In accordance with applicable laws or regulations, the Department and the Sector-Specific Agencies will collaborate with appropriate private sector entities and continue to encourage the development of information sharing and analysis mechanisms. Additionally, the Department and Sector-Specific Agencies shall collaborate with the private sector and continue to support sector-coordinating mechanisms:

(a) to identify, prioritize, and coordinate the protection of critical infrastructure and key resources; and

(b) to facilitate sharing of information about physical and cyber threats, vulnerabilities, incidents, potential protective measures, and best practices.

National Special Security Events

(26) The Secretary, after consultation with the Homeland Security Council, shall be responsible for designating events as "National Special Security Events" (NSSEs). This directive supersedes language in previous presidential directives regarding the designation of NSSEs that is inconsistent herewith.

Implementation

(27) Consistent with the Homeland Security Act of 2002, the Secretary shall produce a comprehensive, integrated National Plan for Critical Infrastructure and Key Resources Protection to outline national goals, objectives, milestones, and key initiatives within 1 year from the issuance of this directive. The Plan shall include, in addition to other Homeland Security-related elements as the Secretary deems appropriate, the following elements:

- (a) a strategy to identify, prioritize, and coordinate the protection of critical infrastructure and key resources, including how the Department intends to work with Federal departments and agencies, State and local governments, the private sector, and foreign countries and international organizations;
- (b) a summary of activities to be undertaken in order to: define and prioritize, reduce the vulnerability of, and coordinate the protection of critical infrastructure and key resources;
- (c) a summary of initiatives for sharing critical infrastructure and key resources information and for providing critical infrastructure and key resources threat warning data to State and local governments and the private sector; and
- (d) coordination and integration, as appropriate, with other Federal emergency management and preparedness activities including the National Response Plan and applicable national preparedness goals.

(28) The Secretary, consistent with the Homeland Security Act of 2002 and other applicable legal authorities and presidential guidance, shall establish appropriate systems, mechanisms, and procedures to share homeland security information relevant to threats and vulnerabilities in national critical infrastructure and key resources with other Federal departments and agencies, State and local governments, and the private sector in a timely manner.

(29) The Secretary will continue to work with the Nuclear Regulatory Commission and, as appropriate, the Department of Energy in order to ensure the necessary protection of:

- (a) commercial nuclear reactors for generating electric power and non-power nuclear reactors used for research, testing, and training;
- (b) nuclear materials in medical, industrial, and academic settings and facilities that fabricate nuclear fuel; and
- (c) the transportation, storage, and disposal of nuclear materials and waste.

(30) In coordination with the Director of the Office of Science and Technology Policy, the Secretary shall prepare on an annual basis a Federal Research and Development Plan in support of this directive.

(31) The Secretary will collaborate with other appropriate Federal departments and agencies to develop a program, consistent with applicable law, to geospatially map, image, analyze, and sort critical infrastructure and key resources by utilizing commercial satellite and airborne systems, and existing capabilities within other agencies. National technical means should be considered as an option of last

resort. The Secretary, with advice from the Director of Central Intelligence, the Secretaries of Defense and the Interior, and the heads of other appropriate Federal departments and agencies, shall develop mechanisms for accomplishing this initiative. The Attorney General shall provide legal advice as necessary.

(32) The Secretary will utilize existing, and develop new, capabilities as needed to model comprehensively the potential implications of terrorist exploitation of vulnerabilities in critical infrastructure and key resources, placing specific focus on densely populated areas. Agencies with relevant modeling capabilities shall cooperate with the Secretary to develop appropriate mechanisms for accomplishing this initiative.

(33) The Secretary will develop a national indications and warnings architecture for infrastructure protection and capabilities that will facilitate:

- (a) an understanding of baseline infrastructure operations;
- (b) the identification of indicators and precursors to an attack; and
- (c) a surge capacity for detecting and analyzing patterns of potential attacks.

In developing a national indications and warnings architecture, the Department will work with Federal, State, local, and non-governmental entities to develop an integrated view of physical and cyber infrastructure and key resources.

(34) By July 2004, the heads of all Federal departments and agencies shall develop and submit to the Director of the OMB for approval plans for protecting the physical and cyber critical infrastructure and key resources that they own or operate. These plans shall address identification, prioritization, protection, and contingency planning, including the recovery and reconstitution of essential capabilities.

(35) On an annual basis, the Sector-Specific Agencies shall report to the Secretary on their efforts to identify, prioritize, and coordinate the protection of critical infrastructure and key resources in their respective sectors. The report shall be submitted within 1 year from the issuance of this directive and on an annual basis thereafter.

(36) The Assistant to the President for Homeland Security and the Assistant to the President for National Security Affairs will lead a national security and emergency preparedness communications policy review, with the heads of the appropriate Federal departments and agencies, related to convergence and next generation architecture. Within 6 months after the issuance of this directive, the Assistant to the President for Homeland Security and the Assistant to the President for National Security Affairs shall submit for my consideration any recommended changes to such policy.

(37) This directive supersedes Presidential Decision Directive/NSC-63 of May 22, 1998 ("Critical Infrastructure Protection"), and any Presidential directives issued prior to this directive to the extent of any inconsistency. Moreover, the Assistant to the President for Homeland Security and the Assistant to the President for National Security Affairs shall jointly submit for my consideration a Presidential directive to make changes in Presidential directives issued prior to this date that conform such directives to this directive.

(38) This directive is intended only to improve the internal management of the executive branch of the Federal Government, and it is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity, against the United States, its departments, agencies, or other entities, its officers or employees, or any other person.



For Immediate Release
Office of the Press Secretary
December 17, 2003

December 17, 2003 Homeland Security Presidential Directive/Hspd-8

Subject: National Preparedness

Purpose

(1) This directive establishes policies to strengthen the preparedness of the United States to prevent and respond to threatened or actual domestic terrorist attacks, major disasters, and other emergencies by requiring a national domestic all-hazards preparedness goal, establishing mechanisms for improved delivery of Federal preparedness assistance to State and local governments, and outlining actions to strengthen preparedness capabilities of Federal, State, and local entities.

Definitions

(2) For the purposes of this directive:

(a) The term "all-hazards preparedness" refers to preparedness for domestic terrorist attacks, major disasters, and other emergencies.

(b) The term "Federal departments and agencies" means those executive departments enumerated in 5 U.S.C. 101, and the Department of Homeland Security; independent establishments as defined by 5 U.S.C. 104(1); Government corporations as defined by 5 U.S.C. 103(1); and the United States Postal Service.

(c) The term "Federal preparedness assistance" means Federal department and agency grants, cooperative agreements, loans, loan guarantees, training, and/or technical assistance provided to State and local governments and the private sector to prevent, prepare for, respond to, and recover from terrorist attacks, major disasters, and other emergencies. Unless noted otherwise, the term "assistance" will refer to Federal assistance programs.

(d) The term "first responder" refers to those individuals who in the early stages of an incident are responsible for the protection and preservation of life, property, evidence, and the environment, including emergency response providers as defined in section 2 of the Homeland Security Act of 2002 (6 U.S.C. 101), as well as emergency management, public health, clinical care, public works, and other skilled support personnel (such as equipment operators) that provide immediate support services during prevention, response, and recovery operations.

(e) The terms "major disaster" and "emergency" have the meanings given in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122).

(f) The term "major events" refers to domestic terrorist attacks, major disasters, and other emergencies.

(g) The term "national homeland security preparedness-related exercises" refers to homeland security-related exercises that train and test national decision makers and utilize resources of multiple Federal departments and agencies. Such exercises may involve State and local first responders when appropriate. Such exercises do not include those exercises conducted solely within a single Federal department or agency.

(h) The term "preparedness" refers to the existence of plans, procedures, policies, training, and equipment necessary at the Federal, State, and local level to maximize the ability to prevent, respond to, and recover from major events. The term "readiness" is used interchangeably with preparedness.

(i) The term "prevention" refers to activities undertaken by the first responder community during the early stages of an incident to reduce the likelihood or consequences of threatened or actual terrorist attacks. More general and broader efforts to deter, disrupt, or thwart terrorism are not addressed in this directive.

(j) The term "Secretary" means the Secretary of Homeland Security.

(k) The terms "State," and "local government," when used in a geographical sense, have the same meanings given to those terms in section 2 of the Homeland Security Act of 2002 (6 U.S.C.

101).

Relationship to HSPD-5

(3) This directive is a companion to HSPD-5, which identifies steps for improved coordination in response to incidents. This directive describes the way Federal departments and agencies will prepare for such a response, including prevention activities during the early stages of a terrorism incident.

Development of a National Preparedness Goal

(4) The Secretary is the principal Federal official for coordinating the implementation of all-hazards preparedness in the United States. In cooperation with other Federal departments and agencies, the Secretary coordinates the preparedness of Federal response assets, and the support for, and assessment of, the preparedness of State and local first responders.

(5) To help ensure the preparedness of the Nation to prevent, respond to, and recover from threatened and actual domestic terrorist attacks, major disasters, and other emergencies, the Secretary, in coordination with the heads of other appropriate Federal departments and agencies and in consultation with State and local governments, shall develop a national domestic all-hazards preparedness goal. Federal departments and agencies will work to achieve this goal by:

(a) providing for effective, efficient, and timely delivery of Federal preparedness assistance to State and local governments;

and

(b) supporting efforts to ensure first responders are prepared to respond to major events, especially prevention of and response to threatened terrorist attacks.

(6) The national preparedness goal will establish measurable readiness priorities and targets that appropriately balance the potential threat and magnitude of terrorist attacks, major disasters, and other emergencies with the resources required to prevent, respond to, and recover from them. It will also include readiness metrics and elements that support the national preparedness goal including standards

for preparedness assessments and strategies, and a system for assessing the Nation's overall preparedness to respond to major events, especially those involving acts of terrorism.

(7) The Secretary will submit the national preparedness goal to me through the Homeland Security Council (HSC) for review and approval prior to, or concurrently with, the Department of Homeland Security's Fiscal Year 2006 budget submission to the Office of Management and Budget.

Federal Preparedness Assistance

(8) The Secretary, in coordination with the Attorney General, the Secretary of Health and Human Services (HHS), and the heads of other Federal departments and agencies that provide assistance for first responder preparedness, will establish a single point of access to Federal preparedness assistance program information within 60 days of the issuance of this directive. The Secretary will submit to me through the HSC recommendations of specific Federal department and agency programs to be part of the coordinated approach. All Federal departments and agencies will cooperate with this effort. Agencies will continue to issue financial assistance awards consistent with applicable laws and regulations and will ensure that program announcements, solicitations, application instructions, and other guidance documents are consistent with other Federal preparedness programs to the extent possible. Full implementation of a closely coordinated interagency grant process will be completed by September 30, 2005.

(9) To the extent permitted by law, the primary mechanism for delivery of Federal preparedness assistance will be awards to the States. Awards will be delivered in a form that allows the recipients to apply the assistance to the highest priority preparedness requirements at the appropriate level of government. To the extent permitted by law, Federal preparedness assistance will be predicated on adoption of Statewide comprehensive all-hazards preparedness strategies. The strategies should be consistent with the national preparedness goal, should assess the most effective ways to enhance preparedness, should address areas facing higher risk, especially to terrorism, and should also address local government concerns and Citizen Corps efforts. The Secretary, in coordination with the heads of other appropriate Federal departments and agencies, will review and approve strategies submitted by the States. To the extent permitted by law, adoption of approved Statewide strategies will be a requirement for receiving Federal preparedness assistance at all levels of government by September 30, 2005.

(10) In making allocations of Federal preparedness assistance to the States, the Secretary, the Attorney General, the Secretary of HHS, the Secretary of Transportation, the Secretary of Energy, the Secretary of Veterans Affairs, the Administrator of the Environmental Protection Agency, and the heads of other Federal departments and agencies that provide assistance for first responder preparedness will base those allocations on assessments of population concentrations, critical infrastructures, and other significant risk factors, particularly terrorism threats, to the extent permitted by law.

(11) Federal preparedness assistance will support State and local entities' efforts including planning, training, exercises, interoperability, and equipment acquisition for major events as well as capacity building for prevention activities such as information gathering, detection, deterrence, and collaboration related to terrorist attacks. Such assistance is not primarily intended to support existing capacity to address normal local first responder operations, but to build capacity to address major events, especially terrorism.

(12) The Attorney General, the Secretary of HHS, the Secretary of Transportation, the Secretary of Energy, the Secretary of Veterans Affairs, the Administrator of the Environmental Protection Agency, and the heads of other Federal departments and agencies that provide assistance for first responder preparedness shall coordinate with the Secretary to ensure that such assistance supports and is consistent with the national preparedness goal.

(13) Federal departments and agencies will develop appropriate mechanisms to ensure rapid obligation and disbursement of funds from their programs to the States, from States to the local community level, and from local entities to the end users to derive maximum benefit from the assistance provided. Federal departments and agencies will report annually to the Secretary on the obligation, expenditure status, and the use of funds associated with Federal preparedness assistance programs.

Equipment

(14) The Secretary, in coordination with State and local officials, first responder organizations, the private sector and other Federal civilian departments and agencies, shall establish and implement streamlined procedures for the ongoing development and adoption of appropriate first responder equipment standards that support nationwide interoperability and other capabilities consistent with the national preparedness goal, including the safety and health of first responders.

(15) To the extent permitted by law, equipment purchased through Federal preparedness assistance for first responders shall conform to equipment standards in place at time of purchase. Other Federal departments and agencies that support the purchase of first responder equipment will coordinate their programs with the Department of Homeland Security and conform to the same standards.

(16) The Secretary, in coordination with other appropriate Federal departments and agencies and in consultation with State and local governments, will develop plans to identify and address national first responder equipment research and development needs based upon assessments of current and future threats. Other Federal departments and agencies that support preparedness research and development activities shall coordinate their efforts with the Department of Homeland Security and ensure they support the national preparedness goal.

Training and Exercises

(17) The Secretary, in coordination with the Secretary of HHS, the Attorney General, and other appropriate Federal departments and agencies and in consultation with State and local governments, shall establish and maintain a comprehensive training program to meet the national preparedness goal. The program will identify standards and maximize the effectiveness of existing Federal programs and financial assistance and include training for the Nation's first responders, officials, and others with major event preparedness, prevention, response, and recovery roles. Federal departments and agencies shall include private organizations in the accreditation and delivery of preparedness training as appropriate and to the extent permitted by law.

(18) The Secretary, in coordination with other appropriate Federal departments and agencies, shall establish a national program and a multi-year planning system to conduct homeland security preparedness-related exercises that reinforces identified training standards, provides for evaluation of readiness, and supports the national preparedness goal. The establishment and maintenance of the program will be conducted in maximum collaboration with State and local governments and appropriate private sector entities. All Federal departments and agencies that conduct national homeland security preparedness-related exercises shall participate in a collaborative, interagency process to designate such exercises on a consensus basis and create a master exercise calendar. The Secretary will ensure that exercises included in the calendar support the national preparedness goal. At the time of designation, Federal departments and agencies will identify their level of participation in national homeland security preparedness-related exercises. The Secretary will develop a multi-year national homeland security preparedness-related exercise plan and submit the plan to me through the HSC for review and approval.

(19) The Secretary shall develop and maintain a system to collect, analyze, and disseminate lessons learned, best practices, and information from exercises, training events, research, and other sources, including actual incidents, and establish procedures to improve national preparedness to prevent, respond to, and recover from major events. The Secretary, in coordination with other Federal

departments and agencies and State and local governments, will identify relevant classes of homeland-security related information and appropriate means of transmission for the information to be included in the system. Federal departments and agencies are directed, and State and local governments are requested, to provide this information to the Secretary to the extent permitted by law.

Federal Department and Agency Preparedness

(20) The head of each Federal department or agency shall undertake actions to support the national preparedness goal, including adoption of quantifiable performance measurements in the areas of training, planning, equipment, and exercises for Federal incident management and asset preparedness, to the extent permitted by law. Specialized Federal assets such as teams, stockpiles, and caches shall be maintained at levels consistent with the national preparedness goal and be available for response activities as set forth in the National Response Plan, other appropriate operational documents, and applicable authorities or guidance. Relevant Federal regulatory requirements should be consistent with the national preparedness goal. Nothing in this directive shall limit the authority of the Secretary of Defense with regard to the command and control, training, planning, equipment, exercises, or employment of Department of Defense forces, or the allocation of Department of Defense resources.

(21) The Secretary, in coordination with other appropriate Federal civilian departments and agencies, shall develop and maintain a Federal response capability inventory that includes the performance parameters of the capability, the timeframe within which the capability can be brought to bear on an incident, and the readiness of such capability to respond to domestic incidents. The Department of Defense will provide to the Secretary information describing the organizations and functions within the Department of Defense that may be utilized to provide support to civil authorities during a domestic crisis.

Citizen Participation

(22) The Secretary shall work with other appropriate Federal departments and agencies as well as State and local governments and the private sector to encourage active citizen participation and involvement in preparedness efforts. The Secretary shall periodically review and identify the best community practices for integrating private citizen capabilities into local preparedness efforts.

Public Communication

(23) The Secretary, in consultation with other Federal departments and agencies, State and local governments, and non-governmental organizations, shall develop a comprehensive plan to provide accurate and timely preparedness information to public citizens, first responders, units of government, the private sector, and other interested parties and mechanisms for coordination at all levels of government.

Assessment and Evaluation

(24) The Secretary shall provide to me through the Assistant to the President for Homeland Security an annual status report of the Nation's level of preparedness, including State capabilities, the readiness of Federal civil response assets, the utilization of mutual aid, and an assessment of how the Federal first responder preparedness assistance programs support the national preparedness goal. The first report will be provided within 1 year of establishment of the national preparedness goal.

(25) Nothing in this directive alters, or impedes the ability to carry out, the authorities of the Federal departments and agencies to perform their responsibilities under law and consistent with applicable legal authorities and presidential guidance.

(26) Actions pertaining to the funding and administration of financial assistance and all other activities, efforts, and policies in this directive shall be executed in accordance with law. To the extent permitted by law, these policies will be established and carried out in consultation with State and local governments.

(27) This directive is intended only to improve the internal management of the executive branch of the Federal Government, and it is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity, against the United States, its departments, agencies, or other entities, its officers or employees, or any other person